



## **Skyline House**

3711 SOUTH GEORGE MASON DRIVE  
FALLS CHURCH, VIRGINIA 22041  
703 - 578-4855

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November 25, 1996

Secretary's Office  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Subject: Docket No. CS 96-83

Dear Sirs:

It is realized that we have missed the closing date for formal comments regarding CS 96-83. Nevertheless, the Board of Directors of the Skyline House Unit Owner's Association, Inc., strongly urges the Federal Communications Commission (FCC) not to establish rules that abrogate our Association's right to prevent individual unit owners from determining site installation and connecting paths for Direct Satellite Service through our common property and elements. Otherwise, the Association faces the possibility of 552 unit owners placing antennas and their connecting leads anywhere on the property that they choose. For reasons stated below, this would be absurd, considering that Skyline House Condominium is a "Luxury" condominium.

The FCC rule on this subject was effective on October 4, 1996 and did not include any rule regarding common property. In paragraph 59 of the rule document, the FCC specifically stated that such situations raise different considerations. Accordingly, paragraph 64 asked for comments on the question of whether restrictions can be imposed on property not in the exclusive control of the viewer. The closing date for comments that could be considered in the establishment of further notice of rulemaking, was September 27, 1996. However, our association did not learn about this until October 22, 1996.

We submit herewith our informal comments in the hope that they will be reviewed by the FCC when considering the intended additional rules concerning the installation of antennas on common and limited-common property which are not within the exclusive control of a person with ownership interest, and where the association has legal responsibility for maintenance and repair, and can be liable for failure to perform its duties.

Skyline House Condominium consists of an East and a West building joined by a large and beautiful lobby and reception desk, as well as management and maintenance offices. The driveway approach to the main entrance is a circle with a water fountain and an island of flowers. Also, we have a park and a swimming pool located on top of an eight-level parking garage, two sun decks, a sauna, an exercise room and 12 elevators.

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We are self governing and have several voluntary committees that report directly to our voluntary (elected) Board of Directors. All of our balconies are limited common elements for which the Association has legal responsibility for maintenance and repair. Of course the entire condominium is common property except the individual owners' apartments. All exterior walls, all walls separating units, and all concrete floors and concrete ceilings are common property.

Specific House rules are established to maintain the "Luxury" appearance ( and thus the value) of our Condominium; such as:

1. Nothing shall be hung or otherwise placed upon the exterior of buildings, such as laundry, clothing, rugs or signs. Clothes lines, clothes racks or any other similar devices are not to be used to hang any items on any balcony, patio or window.

2. Flower boxes, if attached to the railing, must be on the inside of the railing and securely fastened.

3. Awnings, blinds, shades, screens and like items and appurtenances, except window screens as installed by the developer, shall not be installed by any Unit Owner/Resident beyond the confines of the unit without prior written consent of the Association Board of Directors. Seasonal decorations are permitted on unit doors and balconies during the period December 1st through January 15th.

Skyline House Condominium currently has three sources of television that are available to all units. We have 200 channels provided by Media General which can (and are) subscribed to by a majority of the owners and other residents. We also have a master antenna system that feeds all units with local broadcast channels, at no cost, and a microwave system that receives 33 of the most popular cable channels of television from downtown Washington D.C.; which averages only \$6.00 per month for each unit and is included in the Condominium fee. These channels are fed into the common television system along with the local broadcast channels from our master antenna system. All of the above have been done with the approval of the majority of our Unit Owners and play an important part in maintaining the "luxury" concept and value of our Condominium. Accordingly, they eliminate any need to permit Direct TV antennas on our common or limited-common property.

Aside from the above, we are looking into the future and investigating the possibility of having Direct Television which would feed into our common system and be provided at a reasonable "bulk" rate that would be shared by all of owners/residents; the cost of which would be approved by the majority of our owners and included in the monthly condominium fee.

Enclosed for your convenience are photographs of Skyline House Condominium which show the "luxury" aspect from outside and inside.

In summary, it would be a tragedy if our residents would be allowed, by law, to install their own Direct Broadcast System antennas on either our common property or the limited-common balconies. The market for condominiums has softened considerably in the past two years. Permitting antenna dishes and the running of cable on and through our common property would destroy the "luxury" aspect and ruin all that our owners have strived to protect ever since Skyline House was built. In addition, only half of the 552 units could receive Direct TV due to their location on the opposite side of the building. The destruction of our "luxury" look by only half of the owners would be very unfair to the other half.

Thank you for this opportunity to make this informal statement for your review. Please take it into consideration when you revised Document, CS 96-83.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon A. Frank", written over a horizontal line.

Gordon A. Frank, President  
Skyline House Condominium Association

CC: Dolores Littles, Vice President  
George Beams, Director  
Helen Henderson, Director  
Michael Moore, Director  
Barbara Michelman, Director  
Richard Noonan, Director  
Don Perper, General Manager  
Jerry Stone, Deputy General Manager  
Jack Herzig, Chair, Covenants Committee  
Bob Lowry, Chair, Physical Plant and Operations Committee





